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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE,CIVIL JURISDICTION

CIVIL APPLICATION NO.1031 OF 2007
IN
REVIEW PETITION STAMP NO.7814 OF 2007
IN
WRIT PETITION NO.8715 OF 2003

Shri Prakash Mohanrao Jadhav & Ors....Petitioners

Vs.

State of Maharashtara & Ors. .....Respondents

Mr.V.A. Shastry for the Petitioners.
Mr. S.S. Pakale, for respondent Nos. 9 to 21.
Mrs. M.P. Thakur,for Respondent Nos. 1 to 4.
Mr. A.Y. Sakhare, Senior Counsel i/b. M/s.Y.K.S.Legal, for the respondent No.7.

CORAM: F.I. REBELLO &
J.P.DEVADHAR,JJ.
DATED: 8TH AUGUST, 2007

P.C.:

. The Application for condonation of delay and the Review Petition are being heard and disposed of together. The judgment was delivered on 20th February, 2005 and the Review Petition was filed only on 9th April, 2007.

2. The Applicants herein were not parties in the main petition. In the main petition the management was a party who were represented and heard. The issue in that petition was as to whether the petitioners had to be considered along with other applicants, pursuant to the advertisement or

they had a right to be absorbed. This Court on a construction of direction of AICTE and other material came to the conclusion that the petitioners before it had to be considered for absorption before the process of direct recruitment. In our opinion considering this aspect of the matter the review applicants herein would have no right to challenge that decision. Moreover the management have participated and have not challenged that order by filing any review petition. In the light of that Civil Application along with Review Petition dismissed.

(J.P. DEVADHAR, J.) **(F.I.REBELLO, J.)**